THE RIGHT TO SHELTER AND THE INTERDEPENDENCE OF PUBLIC POLICIES - THE PORTUGUESE CASE

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It is the incapacity to govern with the real needs of people in mind wich caracterizes under-development. In a country in such a situation the plan is not only a technical device necessary to define priorities and to establish the targets for wich the government is <u>accountable</u> to the electorate. It is an ethical demand wich should send the political leaders to sleepless nights.

It is impossible, paradoxical, incongruent that such a situation takes place in a country where practically all party-leaders make the most eloquent statements about family life. Family becomes a prison, a concentration-camp when people live without the indispensable necessary hygienic conditions, when they are on the top of each other, where different families are obliged to live in promiscuity. No doubt than juvenile delinquency, drug and prostitution will be the most evident out come of such a situation. To say nothing about the unhapiness of those concerned.

The problem of housing in Portugal is the key-factor in the definition of this country as under-developed. The variety of structural problems wich prevents the housing situation to improve has to be seen in conjunction with the fact that the human resources are not in default. There are enough engineers and architects able to come up with the right solutions.

The inadequacy between human resources and satisfaction of the basic need for a home points out to the inability to define policies, to plan in medium-term. This is a key question in the under-development.

It would be too easy to bring the question of under-development to a consequence of the unstability at the political level. That is not so. Several governments stayed in office long enough to tickle decisively such a fundamental sector of activity. However, they didn't understand that housing was a key-factor in the so much claimed relancing of the economy and a priority in the satisfaction of basic needs.

I. HOUSING SITUATION

1. Population

The lack of houses and social equipment - schools, nurseries, health centers, etc. - is an astounding fact of present-day Portugal. Houses are lacking in numbers. The conditions of the existing houses are bad. Housing weighs too strongly in the family budget. All these facts have grave consequences for the human, social and economic conditions of the population. As they affect deeply the welfare of the human resources they condition negatively the country's development.

Moreover, in spite of the basic political changes which have ocurred in Portugal in the last thirteen years, the housing situation didn't improve at all in the last decades. The magnitude of the needs and the tendencies shown are reaching a dangerous threshold, without parallel in other European countries.

The population's evolution in Portugal has suffered some drastic changes. Between 1960 and 1970 there was a loss due to a great extent to the emigration process, linked with the colonial war. In the following decade there is a sharp increase in population as there are more than 700.000 people coming from the former colonies. This led to a population variation of 15,2% in this decade, a rate only preceded in Europe by the one from Ireland. According to the Eurostat projections, the Portuguese populational variation for the period 1980-2000 will remain one of the highest (14,7%), leading to a population of 11.500 million by the end of the century.

Obviously, such pattern is closely linked with the housing situation. If, by now, the problems are already big ones, they may become appalling in a few years.

The secundary and tertiary activities are concentrated in the two great metropolis (Lisbon and Porto) and in a coast-line surface which doesn't go beyond 30 km to the interior.

That coast-line surface exercises a great attraction to the people from the interior. The stagnation of economic and social life in such areas appears as the main factor conducive to the exodus from the rural to the more urban areas.

This concentrated "urbanization" of the population bears on the housing problem though several angles:

- there is a bad utilization of the existing houses;
- there is an increase of the demand for houses and the lack of them in the main cities along the coast;
- there is too much pressure on the demand for soil for building in zones which are already very concentrated, provoking speculation in prices.

2. The conditions and figures of housing

According to the figures of the last Census (1981), the global number of houses was 3.240 thousand units for a total of 2.801 thousands of families.

These figures might lead to the impression that there is a surplus of houses. That is not so. In the number of units are counted the houses below any decent standards (e.g. slums), the houses for seasonal use and the houses which are not used for lodging.

Thus, the mere quantitative analysis leaves aside the manifold qualitative aspects of the housing problem. We will try to caracterize some of those houses:

- Slums and similar -

Their number increased 33% between 1970 and 1981. In relative figures it is a small number, but more than 41 000 families live in such houses. (This is a controversial point. Some analysts consider that there is no adequate indicator for the number of families living in the very diversified forms of slum-housing.)

The greatest concentration of slum-houses is in the <u>Lisbon</u> area. <u>Porto</u> has also a very concentrated group of a type of slums called the "islands", unnoticeable from the streets, small cubicles inside courtyards. In the last decades, even in the last years, the slum-housing has developed in the peripheral zones of other cities, sometimes of prosperous regions like Viseu and Aveiro. Cities with this type of problems are also Setúbal, Leiria, Faro, Beja, Bragança.

Between 1970 and 1981 the number of slum-houses has increased more 200% in 3 cities and more than 100% in 5 others.

-/ Degradation of existing houses -

The degradation of houses reaches very high proportions. More than 400.000 houses (13% of the whole) need urgent works of restauration and improvement so as to provide acceptable living conditions.

Houses are old and unconfortable, as 697.000 (22% of the whole) have been built more than 60 years ago. Many thousands of buildings have gone beyond technical age limits.

(When compared with other European countries, Portugal has invested 3% to 4% of the housing budget in restauration while countries like France or Italy have invested 30% to 40%. In the medium-range this will lead to an aggravation of the housing problem in Portugal.)

- Cohabitation (sharing of house) -

Another striking situation is the phenomenon of "sharing the houses". In 1981, there were in Portugal around 198.000 families (7,1%) living in a shared house. This is particularly noticeable in the urban areas - 20,6% of all the families in urban milieux (representing 16,2% of the urban population) live in such conditions and, among them, 16% live with 2 or more families.

One consequence of such a type of lodging is that the ratio number of people/surface occupied is very small. Not only is privacy jeopardized but the situation tends to be one of promiscuity.

– Over-occupied houses –

In 1981 the number of families living in houses inadequate in dimension structure amounted to 538.000 (19,2 % of all the families).

Most experts stress that such overoccupation is not mainly due to the number of persons in the family but to the small size of the house.

– Irrational utilization of the existing houses –

In sharp contrast with the above-mentioned figures, there are many houses in Portugal wich are not used.

According to the '81 Census the figures are the following:

- unoccupied houses ⸺⸺⸺⸺⸺ 182.000 (5,6%)
- seasonal occupied houses ⸺⸺⸺⸺ 178.000 (5,5%)
- houses whose inhabitant
  is absent more than 1 year ⸺⸺⸺⸺ 226.000 (7%)

This means that only 82% of the houses are regularly occupied. Even areas of great deficit   have unoccupied houses in high percentages. Such are the cases of Lisbon (7%) and Porto (8%).

The factors which generate such an irrational situation are, among others:

- the houses built by the emigrants in the rural areas and kept "waiting" for their return;
- the houses in touristic zones;
- the legislation until '85 which stimulated housing-absenteeism.

Together with the unoccupied houses, there are also <u>underoccupied</u> ones. Moreover, the number of underoccupied houses is higher than the number of overoccupied houses. From all the houses, only in 2% there is adequacy between the size of the family and the number of rooms.

3. A specific phenomenon: the "clandestine" houses

The housing legally built is obviously inadequate to the needs of the population. It is predominantly private and speculative; has a scarce production and is geared towards luxury-market, totally inaccessible to more than 60% of the population.

Parallel to this legal sector, a "clandestine" sector has developed. We call clandestine urbanization the process of selling out parts of rustic property, done outside the existing legal frame for conversion of agricultural in urban soil. Those who buy the soil build their own houses, without permission from the local authorities.

In the period 1970-1981 among the 673.000 houses newly built, 392.000 houses (58,2%) had the necessary authorization while 281.000 (41,2%) were illegal.

If we add to this the houses built in such conditions prior to 1970 we come to a sum total of illegally built houses of 450.000, representing 14% of the whole and lodging more than 1 million people.

The consequence of such type of housing are disastous. They have destroyed soils of high agricultural value, the conditions of their natural drainage, the trees and the mineral resources. But, most of all they have generated a kind of human settlements deprived of the most fundamental infra-structures: water, drainage, schools, health-care centers, spaces for leisure. In a nutsell, the irrationality of no-planning and of administrative paralysis.

4. The population affected by the housing situation

In this context, the needs of the country, in merely "static terms" (i.e., without taking into account the demographic growth, the restauration of the houses and the geography mobility - the "dynamic terms") represents a total of 500.000 houses for a population of some 2.800 thousand families. This means that 18% of the portuguese population doesn't have housing with a minimum of livable conditions.

Though there are very few studies on the population living under the conditions just described, one thing can be said: "homeless" in Portugal cover a great variety of socio-economic groups, outside the more traditional stratification based exclusively on revenue per capita.

Thus The following strata are the ones most deeply affected by the inadequacy of the housing situation:

- families with a global revenue below 2 minimum wages
- young couples and unemployed people
- populations who emigrate from the villages to the towns
- professional people who want to settle in the interior of the country (where they are badly needed, namely doctors, teachers, nurses, etc.)

It is clear, that shortage of houses and their bad conditions reach both the rural and the urban population, both the low-income groups and the medium-income young, professional groups.

This shows that, in relation to housing, the distinction poor/not poor is not a decisive one. The poor have indeed bad housing conditions but the not-poor have, in great numbers, also bad conditions. All things taken into contact the situation of the poor is worse, but due to the cumulative effect of other factors as well.

II. STRUCTURAL WEAKNESSES IN THE HOUSING POLICIES

The analysis of the facts outlined in the first chapter points out to a series of inadequacies in the housing policies as the root of the problems the Portuguese population is facing in this realm.

We will describe, in a rather summarized form, some of those deficiencies. In themselves, they indicate already what the needs are, in terms of definition of housing and urban policies.

1. Absence of definition of consistent policies

The main deficiency is a crying one: there is not in Portugal since many years any housing policy in terms of social objectives, of the rôle to be palyed by different sources of initiative, or a guarantee of the necessary means - technical, financial, productive and institutional.

Instead, there are disconnected measures and programs, often decided according to the conjunctural situation, and executed according to institutional and financial conditionality.

Even the figures mentioned in the first chapter cannot be confirmed by sources as there are no adequate studies. Thus the total amount of housing deficit, the real geographic distribution and the situation according to socio-economic strata cannot be taken as completely accurate. Likewise, we miss in depth studies concerning life-styles and different forms of utilization of the houses available.

Another important element which is missing is the knowledge about the productive structure of the "building" sector. The housing programs that have been designed don't take it sufficiently into account. Very often the inadequacy of programs and institutional support-systems is so great that expensive last-minute alterations have to be made.

2. _Inefficiency of the urban and soil policies_

Urbanism has been a generalized pitfall of the governmental policies since many years.

There is a shortage of infra-sturctures in the soils of convenient areas and of accessible prices. If these sub-sectors are not tackled, urbanization cannot take place and the measures decided in each sub-sector are not improved. They remain at the level of "wishful thinking" revealing the absence of political will of successive governments.

The traditional structure of capital coupled with the existence of strong sociel forces geared towards their own benefits lead to a situation in the property of the soil which undermines production and favours

the speculative nature of all processes of urbanization. There is also an obsolete management of the urbanistic process and a clear inefficiency of all policies concerning the soils.

The results are visible:

- the scarce availability of the urban soils makes their prices incompatible with a steady social policy for housing;

- there is a huge bureaucratization of the legal procedure needed to build. This provokes the intervention of huge building enterprises and stimulates the proliferation of illegal selling together with clandestine construction;

- the urbanistic planning is continuously trapped by the discricionary powers of the central Administration.

- the legifslation concerning expropriation of urban soils is ineffective. Moreover when it comes to vital expropriation, the political will withdraws.

- the organizational structures of the building industry are very fragile. The enterprises live more from rent than production.

3. Following a model of maladjustement promotion

Since the beginning of the 70's, the attention of the governments, as well as of the financial and building institutions, has been geared towards the big promoters and the huge initiatives (both private and public) in the field of construction.

The experience shows that such a choice is totally inadequate to the entrepeneurial and administrative reality of the country. In fact, that choice is at the heart of the failure of other initiatives, conceived on the basis of the interest of the citizens; as it has been the case even of the public Institutes created by the Administration to promote a large scale program of housing.

Such a system runs contrarily to the potential of thousands of small and medium units of construction who, because of their mobility and flexibility, are able to answer adequately to the still dominant individual demand.

We can even say that the cultural traits and the aspirations of most of the population (who want the ownership of house and soil) are not taken into account. Their capacity of initiative, labour and saving is not made profitable for themselves and for the country.

All these distorsions lay at the core of the reasons for the failure of any institutional initiative and for the strength of clandestine building.

Let us see how the legal/illegal building is connected with _family income_.

30% of the Portuguese population have no possibility to pay any rent. 30% to 40% need support from official sources in order to have access to housing.

The access to loans is conditioned by the saving capacity (in its turn conditioned by the level of income) and by the capacity to pay regularly the high interest.

5. The situation in the construction industry

One of the main obstacles to an adequate social housing practice is the productive and entrepreneurial weakness of the construction industry.

Its main features are the following:

- dispersion of enterprises, of "family" size, suffering from a scale defficiency;
- almost no entrepreneurial nor technological organization;
- "intercourse" between the productive sector and the commercial one, leading to speculative tendencies in this field as well;
- lack of technical preparation of the entrepeneurs and no professional training of the workers.

The unbelievable distribution of this sector can be understood by the following numbers, referring to '85:

- total number of enterprises: 24.547
- 87.4% employed less than 10 workers
- 7.6% employed 10-19 workers
- 2.7% employed 20-49 workers
- 2.3% (634) employed 50 or more workers.

This pulverization is in direct connection with the low technological and organizational level.

Until recently, most enterprises didn't have their own accounts and had no programation. They have had a low-paid labour-force, with lower wages than most industries.

III. THE RIGHT TO SHELTER - A HUMAN RIGHT AND A TEST TO A
HUMANE GOVERNANCE

1. Housing as a human right

From a political point of view it is becoming everyday
more acutely clear that we cannot go on paying lip-service to
the defense of human rights while so many human beings are de-
prived of the satisfaction of some of their rights as persons.
Social, economic and cultural rights are intertwined with civic
and political rights. Housing is one of those rights.

We know that the human person prolongs herself in the space
around her. To think, to rest, to create energy inorder to commu-
nicate better with others, to experience the stability and the
continuity of being - these are goals connected with the right
of housing which come easily to mind when, in the peaceful atmos-
phere of our home-office, we think about such a right. But what
then about all those who have litterally no shelter? no space
for themselves? no way of keeping themselves from the cold or
from the heat? no place where to perform the most elementary
tasks of hygiene, they are deprived of one basic condition for
the fulfilment of their human dignity.

A new policy of housing in this year '87 cannot anymore be reduced to the mere
concept of "building". A new concept of housing/home/lodgement is needed. Its context
is required by the safeguard of a decent/peaceful life around the home: no polution
(vicinity of polluting industries or concentration of trafic); social equipments;
green spaces; leisure, entertainment and cultural spaces; reduction of noise, etc.

But it is also the home which is at stake: the need for communal activities com-
bined with the need for privacy as a means to evoke creativity /rest/ressourcement
of every person so that spiritual values may grow and a happy sense of togetherness
may be brought in other spheres of life.

Society has to organize itself in such a way as to make
the right to shelter a basic need for which we all must care
and for whose satisfaction we all must contribute.

2.   Housing as a test for humane governance

The variety of factors that are at play in the satisfaction of the fundamental right of housing show that public policies are nowadays a test to the capacity to cope with complexity. It is not an easy matter. It requires adequate evaluation of all resources, analysis of all connections and networks, determination to follow a policy through the variety and change of the demand. It asks for long-term planning, for a strong sense of priorities, for continuous understanding of the interplay between the proximate and the medium-term goals.

This is why housing policy is not only a test to a good performance. It is a test to humane governance - the guarantee that, through all the complexity of the different sectors that are at stake in the housing policy and of their interaction, it is the human person that counts.

The State has to provide the juridical framework and the Government the program and the budget necessary to stimulate the conditions which enable all obstacles to be overcome and all the initiative to be fostered.

The sectors of housing and urbanism reveal that there are human, technical and financial resources for the resolution of the greatest needs of the population. To make such resources useful, it is necessary for the government to define without ambiguities a coherent policy in many fields which will be geared towards the satisfaction of the most pressing basic needs. The interplay of planning, management and ajustement to reality is essential in such a policy.

In the Portuguese situation, the policy needed has to be translated into a variety of measures, pertaining to the most diversified realms of public policies. As a response to the needs and distorsions we have outlined, some of those measures can be described as follows:

3.   Solidarity, the support of human rights and humane governance

   To respond to the urgency of a basic human right through
a humane governance asks for a systemic approach. The autonomous
sectors of public and private initiative, the diversified values
alive in society, the different layers of the population - all
have to be taken into account. But not in an isolated manner;
rather as interdependent elements who act upon each other. All
such elements have to be linked as they are linked in the rea-
lity of a given society. They have to be approached as part of
an organism, of a living system.

   At the core of such a system, there is the human person
- not only as the ultimate goal of the process of development
but also as its subject, agent and center. This means that there
is no real fulfilment of the basic human right of housing if
the individual persons and the family aggregates they volunta-
rily form are not involved and free to choose within the para-
meters of their own situation.

   At least, two main lines can be drawn from such assertion:
- a change of mentality is needed whereby the individual persons
will be stimulated to take their own initiatives and be "rewar-
ded" by doing so (credit to those who are determined to have
their own house and can be made accountable for the initiative,
local and regional contests for improvements made in the hous-
ing condition, technical assistance to those who are ready to
build with their own hands,etc.);
- in the over-all policy concerning housing, the human factor
has to be the first to be evaluated so as to allow a realistic
planning into which all specific cultural values are integra-
ted.

   As there is an intimate correlation between housing and
life-styles and as life-styles determine, to a great extent,
the capacity to alternative development, the attention given
to the human person through housing as a human right will be
a decisive factor in the process of development.

In the whole system where housing is at stake, <u>the social dimension</u> is the expression, at the level of the whole society, of the primacy given to the human person. The questions of different social groups and their specific needs, the counter-balancing of the assymetric distribution of the population, the organization of people in neighborhood commissions are part and parcel of such social dimension.

It is very obvious that such a dimension asks for a wide spectrum of housing solutions, requires for broader social solutions than those narrowly defined by "having a house", demands that different age groups and their needs be considered as an expression of respect for the cycle of human life. Some concrete measures can be made explicit as examples:

- change in the <u>structure of income</u> is a prerequisite of a sound policy. The population with capacity to buy its home or to pay the rent has to increase. This is the only way for the main economic agent in this field - the family - to acquire a new dynamism and to look for solutions legally, technically and socially convenient;

- <u>accelerated promotion of social housing</u> understood as housing whose features are defined by the state and whose promotion is directly or indirectly stimulated by the State;

- creation <u>of mechanisms which will allow for greater housing mobility</u>, enhancing in all cases greater adequacy between the family structure and the dimension of the house;

- evaluation of needs and resources in such a way as <u>to launch in the market an important part of the houses which are unoccupied</u> for a long period because of the high cost or rent, thus giving new possibilities of access to young couples and to families of low income;

It is clear in the concrete case of Portugal, mainly through tha inadequacies decribed in chapter II, that the housing question has one dimension which can be said as <u>specifically technical</u>. It refers to the policy concerning to soils , the rationalization of the building industry, the renewal of existing houses and urbanistic policy, taking into account the scattered initiatives already on their feet. Thus the main measures can be exemplified as follows:

- implementation of a <u>new policy of the soils</u>, throug adequate controle by the Administration over the process of use and transformation of the soil;

- <u>reduction of the costs of construction and of the final prices of building</u>, while improving the quality of the final product; this can be achieved through the development of flexible systems of promotion, stopping the speculation, intensifying the rationality of the processes and projects, as well as the establishment of standard norms for the materials and components of construction;

- <u>improvement of the existing houses</u>, mainly through two basic lines: one, which we share with other countries , is rehabilitation, conservation and better utilization of the existing houses; the other is more specific to the situation we have described, namely the urbanistic reconversion of the areas which have been up degradated for construction and transformed in "clandestine" towns;

- creation of conditions for the <u>entrepreneurial development and technological modernization</u> of industry of construction.

Throughout the analysis we have made it is clear that the financial dimension of the housing problem is a crucial one which demands both structural and conjunctural adjustments. Some of the basic measures to be considered in a situation like the Portuguese one can be exemplified as follows:

- creation of a system of financing which will enhance the savings for housing, will guarantee the adequate management of the financial resources used by this sector and will limit its dependence from the State budget and conditions of loan;

- adoption of a legal system concerning the renting in urban areas, which will combine the just retribution of capital of those who invested in buildings for social housing and the adequate level of rent for the families according to their income;

- new balance between the market of houses owned by their occupants and the market of houses for rent;

Finally, there is a political dimension to which we have referred unceasingly in this brief outline of the main problems Portugal is facing in coping with the demands of housing as a human right. Its main elements can be summed up:
- replacement of the current policy-of-construction by a real housing policy which can only occur if the systemic approach is coupled with a strong and active participation of the people;
- intensification of regional development and political and administrative decentralization are basic conditions.

They can provide a more rational use of the houses available, lessening of pressures over prices in the urban areas and greater rentability of local resources;

- flexibility and decentralization of the process of promotion, allowing the municipalities to take in hand the production of social housing, stimulating the cooperative spirit and giving shape to all reasonable measures capable to support individual and family initiative.

All these dimensions and the inter-disciplinary measures we may envisage will succeed in their implementation if the whole housing policy will be sustained by <u>solidarity</u> as an attitude shaping all political decisions.

Solidarity is taken here not only as an intention but as an active ingredient necessary to analyze the concrete situation, to estimate the needs of the population, to stimulate a concerted action among all sectors who have a rôle to play, to support all private and public initiatives which may have impact in the improvement of the housing conditions.

Because of its very nature, the housing question can trigger ·   a totally new attitude of mutual concern and of cooperation which will be the cornerstone of a true solidary society.

Nonies Pintasilgo